

01-31-01

CPA

1642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: | | PRIOR APPLICATION | |
|---------------|---|----------|-------------------|----------|
| | CLASS | SUBCLASS | EXAMINER | ART UNIT |
| 7885.55USWO | | | S. Ungar | 1642 |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EL650064420US

Date of Deposit: January 30, 2001

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

By: *Brsian Maharj*
Name: Brsian Maharj

RECEIVED

FEB 05 2001

TECH CENTER 1800/2300

REQUEST FOR CONTINUED PROSECUTION APPLICATION UNDER 37 C.F.R. § 1.53(d)

Box CPA
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

This is a request for filing a continued prosecution application under 37 CFR § 1.53(d) of prior pending patent application Serial No. 09/125,751, filed on October 30, 1998, which is a National Stage Application of Serial No. PCT/NO97/00074, filed March 12, 1997 entitled METHOD OF KILLING TARGET CELLS IN HARVESTED CELL POPULATIONS WITH ONE OR MORE IMMUNOTOXINS by the following inventor(s):

| Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
|-------------------------|---------------------|--------------------------|--------------------------|
| Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| Post Office Address | Post Office Address | City | State & Zip Code/Country |
| Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| Post Office Address | Post Office Address | City | State & Zip Code/Country |
| Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| Post Office Address | Post Office Address | City | State & Zip Code/Country |
| Full Name Of Inventor | Family Name | First Given Name | Second Given Name |
| Residence & Citizenship | City | State or Foreign Country | Country of Citizenship |
| Post Office Address | Post Office Address | City | State & Zip Code/Country |

02/02/2001 CVD111 00000015 09125751

01 FC:131

710.00 OP

| | | | |
|-------------------------|-------------------------------------|------------------------------------|------------------------------------|
| Full Name Of Inventor | Family Name JUELL | First Given Name Siri | Second Given Name |
| Residence & Citizenship | City Lommedalen | State or Foreign Country Norway | Country of Citizenship Norway |
| Post Office Address | Post Office Address Granholtet 6 | City Lommedalen | State & Zip Code/Country Norway |

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. ☐ Enter the amendment previously filed on , but unentered, in the prior application.
2. ☒ A preliminary amendment is enclosed.

The filing fee is calculated below on the basis of the claims existing in the prior application as amended at 1 and 2 above:

CLAIMS AS FILED

| NUMBER FILED | NUMBER EXTRA | | RATE | FEE |
|----------------------------|--------------|---|-------------------|----------|
| TOTAL CLAIMS: 17 -20 | 0 | x | \$0 | \$0.00 |
| INDEPENDENT CLAIMS 3 -3 | 0 | x | \$0 | \$0.00 |
| | | | BASIC FILING FEE: | \$710.00 |
| | | | TOTAL FILING FEE: | \$710.00 |
| | | | | |

- ☐ Small entity status is claimed pursuant to 37 CFR 1.27.
3. ☒ Payment of fees:
☒ Attached is a check in the amount of \$ 710.00 for filing fee and \$110.00 for extension of time.
☐ Please charge Deposit Account No. 13-2725.
4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
5. ☒ Priority of application Serial No. PCT/NO97/00074, filed on March 12, 1997 in PCT and Serial No. 961031, filed on March 13, 1996 in Norway, is claimed under 35 U.S.C. 119.
6. ☐ The certified copy has been filed in prior application Serial No. , filed .
7. ☒ The prior application is assigned of record to Oystein Fodstad located at Frits Kliaers v. 28, 0383 Oslo, Norway.
8. ☒ The Power of Attorney in the prior application is to:
- Merchant & Gould P.C.
Minneapolis, MN 55402
(612/332-5300)
9. ☒ A petition and fee to extend the term in the prior application until February 25, 2001 are enclosed herewith.

10. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
11. ☒ Also Enclosed: Antibody specification sheets; Claims pending upon amendment entry
12. ☒ Address all future communications to the **Attention of John J. Gresens** (may only be completed by attorney or agent of record) at the address below.
13. ☒ A return postcard is enclosed.


Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612/332-5300



Date:

1/30/2001



John J. Gresens
Reg. No. 33,112
JJG/vhahn